

FILED

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JAN 17 2007

UNITED STATES OF AMERICA)

v.)

JONATHAN KEITH THOMAS)

CLERK
U.S. DISTRICT COURT
MIDDLE DIST. OF ALA.

CR. NO. 2:07cr04-MHT

[18 USC 922(g)(1)]

INDICTMENT

The Grand Jury charges:

COUNT 1

On or about the 5th day of June, 2006, in Greenville, Alabama, within the Middle District of Alabama,

JONATHAN KEITH THOMAS,

defendant herein, having been convicted of discharging a firearm into an occupied vehicle in the Circuit Court of Butler County, Alabama, Case Number CC 99-47, for which he was sentenced on or about June 23, 1999, a crime punishable by imprisonment for a term exceeding one year, did thereafter knowingly possess in and affecting commerce, a firearm, to wit: a Colt, .38 caliber revolver, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 2

On or about the 11th day of June, 2006, in Greenville, Alabama, within the Middle District of Alabama,

JONATHAN KEITH THOMAS,

defendant herein, having been convicted of discharging a firearm into an occupied vehicle in the Circuit Court of Butler County, Alabama, Case Number CC 99-47, for which he was sentenced on

or about June 23, 1999, a crime punishable by imprisonment for a term exceeding one year, did thereafter knowingly possess in and affecting commerce, one live round of .38 caliber ammunition, in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

A. Count 1 of this indictment is hereby repeated and incorporated herein by reference.

B. Upon conviction for the violation alleged in Count 1 of this indictment, the defendant,

JONATHAN KEITH THOMAS,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense, including but not limited to the following:

A Colt, .38 caliber revolver

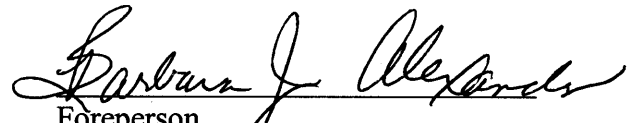
C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant:


- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred, sold to, or deposited with a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or,
- (5) has been commingled with other property which cannot be divided without

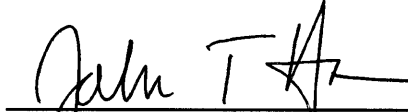
difficulty, the United States, pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c), intends to seek an Order of this Court forfeiting any other property of said defendant up to the value of the property described in the above paragraphs.


All in violation of Title 18, United States Code, Section 922.

A TRUE BILL:


Foreperson


LEURA G. CANARY
UNITED STATES ATTORNEY


John T. Harmon
Assistant United States Attorney


Kent B. Brunson
Assistant United States Attorney